

Elderly Driver Licensing Provisions

Current Requirements

Eye Exam

Utah law requires a person who is 65 years of age or older to take and pass an eye examination upon renewal of the person's driver license. A person's driver license expires every 5 years, so a person who is 65 years of age or older is required to take and pass an eye exam every 5 years. (Utah Code Annotated Subsections 53-3-205(8) and 53-3-214(3)(b)(ii)).

Driver License Medical Advisory Board

The Driver License Medical Advisory Board is a board that establishes and recommends functional ability profile guidelines and standards for determining the physical, mental, and emotional capabilities of applicants for specific types of licenses that are appropriate to various driving abilities. The Driver License Division may require a person to submit to a physical examination by a health care professional and/or a follow-up medical review of the applicant by a health care professional and completion of a medical report at intervals established by the division. The division may grant a restricted license to an impaired person who is otherwise qualified to obtain a license or may suspend, revoke, deny, disqualify, or cancel the person's license. If the division has taken action against a person's license, the person may request a review of the division's action by expert panel members who are nominated by the Driver License Medical Advisory Board. The panel reviews the matter and makes written findings and conclusions. A decision of the Driver License Division is subject to judicial review. (Utah Code Annotated Sections 53-3-303, 53-3-303.5, and 53-3-304).

Reports of Drivers that are a Threat to Driver Safety

A law enforcement officer who, in the course of his duties, perceives that a person presents a threat to driving safety may submit a request to the Driver License Division that the person be required to submit to medical reviews or certain driving tests. In addition, a health care professional or other person who becomes aware of a physical, mental, or emotional impairment that appears to present an imminent threat to driving safety and reports that information to the division in good faith has immunity from any damages claimed as a result of making the report. If a person makes a report to the Driver License Division, the person who is the subject of the report has the right to know who made the report to the Driver License Division. (Utah Code Annotated Subsection 53-3-303(14)(c)).

Recent Utah Legislative Proposal

Last year, S.B. 84, Confidentiality of Reports to the Driver License Division, was proposed but did not pass. This bill would have allowed a person to confidentially notify the Driver License Division if the person is aware of a physical, mental, or emotional impairment of another person that is an imminent threat to driver safety. Under the bill, if the division receives a notification, the division can require the person that is the subject of the notification to submit to certain medical reports or certain driving tests if the division determines the notification was made in good faith. The division would be required to keep the notification confidential and would not be able to disclose the name of the reporting person, if requested by the reporting person. Lastly, if a person makes a notification with the intent to annoy, intimidate, or harass the person that is the subject of the notification, that person would be guilty of a class C misdemeanor.

Other States Requirements

Some states have licensing laws that apply to senior drivers. Most restrictions are in the form of requiring vision tests after a certain age (similar to Utah) or not allowing online or mail-in renewals for people over a certain age. (See Transportation Safety and Public Health: State Legislative Action 2006, Appendix G. Licensing Procedures for Older Drivers, National Conference of State Legislatures (2007)).

Like Utah, approximately thirty-five states use medical review or medical advisory boards to help determine when a driver should be taken off the roads. In addition, some states have mandatory physician reporting requirements where doctors must report patients with conditions that may cause lapses of consciousness. The reports are confidential, and most states with these requirements provide civil and criminal immunity for the physician. (National Conference of State Legislatures, Legisbrief: Older Drivers, Vol. 12, No. 12, by Melissa Savage (February 2004)).

Crash Statistics

Drivers Involved in Motor Vehicle Crashes (Utah 2005)										
Age	Drivers Involved in Property Damage only Crashes		Drivers involved in Injury Crashes		Drivers Involved in Fatal Crashes		Total Drivers Involved in Crashes		Total Licensed Drivers	
	#	%	#	%	#	%	#	%	#	%
<15	53	.1%	55	.2%	1	0.3%	109	0.1%	N/A	N/A
15-19	10,364	16.7%	6,015	16.5%	45	12.4%	16,424	16.6%	129,072	7.4%
20-24	10,715	17.3%	6,237	17.1%	54	14.9%	17,006	17.2%	213,321	12.3%
25-29	7,959	12.8%	4,786	13.1%	46	12.7%	12,791	12.9%	228,516	13.2%
30-34	5,772	9.3%	3,568	9.8%	30	8.3%	9,370	9.5%	183,698	10.6%
35-39	4,803	7.7%	2,921	8.0%	26	7.2%	7,750	7.8%	156,553	9.0%
40-44	4,403	7.1%	2,772	7.6%	25	6.9%	7,200	7.3%	149,750	8.6%
45-49	4,073	6.6%	2,521	6.9%	27	7.5%	6,621	6.7%	149,438	8.6%
50-54	3,351	5.4%	2,053	5.6%	27	7.5%	5,431	5.5%	133,646	7.7%
55-59	2,615	4.2%	1,564	4.3%	21	5.8%	4,200	4.2%	109,408	6.3%
60-64	1,800	2.9%	1,045	2.9%	18	5.0%	2,863	2.9%	79, 971	4.6%
65-69	1,190	1.9%	739	2.0%	8	2.2%	1,937	2.0%	61, 115	3.5%
70-74	910	1.5%	476	1.3%	9	2.5%	1,395	1.4%	49, 636	2.9%
75-79	708	1.1%	450	1.2%	10	2.8%	1,168	1.2%	40, 899	2.4%
80-84	447	0.7%	291	0.8%	9	2.5%	747	0.8%	29, 762	1.7%
85+	244	0.4%	152	0.4%	2	0.6%	398	0.4%	22, 486	1.3%
Unknown	2,570	4.1%	906	2.5%	4	1.1%	3,480	3.5%	N/A	N/A
Total	61,977	100%	36,551	100%	362	100%	98,890	100%	1,737,271	100%

Source: Department of Public Safety, Driver License Division and Highway Safety Office
Information compiled by: Department of Public Safety, Highway Safety Office

